IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:10-CV-209-D

DONALD L. MORRISON,)	
Plaintiff,)	
v.)	ORDER
TOM WATERS,)	
Defendant.)	

On October 18, 2010, Donald Morrison sued Tom Watters for fraud concerning a dock that Watters was to build for Morrison in 1999 [D.E. 1]. Morrison seeks "the filing fee and the sum of \$3,150 plus appropriate interest since July 6, 2000." Compl. 2

On February 10, 2011, Watters filed a motion to dismiss for lack of subject matter jurisdiction [D.E. 6]. In support, Watters notes that he and Morrison are both citizens of North Carolina and that the amount in controversy does not exceed \$75,000, exclusive of interests and costs. Cf. 28 U.S.C. § 1332(a). Watters is correct, and the court GRANTS the motion to dismiss [D.E. 6]. The motion for sanctions [D.E. 11] is DENIED.

SO ORDERED. This 19 day of April 2011.

JAMES C. DEVER III United States District Judge